

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ORLANDO C. BURRIES,

Plaintiff,

v.

JEFFERY L. NEWTON,

Defendant.

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CASE NO. 8:08CV339

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On February 20, 2009, the court reviewed the Amended Complaint and ordered Plaintiff to complete service of process on Defendant. (Filing No. [13](#).) The court warned Plaintiff that failure to complete service of process by June 22, 2009, may result in dismissal of this matter. Plaintiff has never returned a completed summons form, has not completed service of process on Defendant, and has taken no action in this matter since November 20, 2008. (See Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with the court's orders; and
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 3rd day of August, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge